

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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:
KIMBERLY CRUZ, :
:
Plaintiff, : **ORDER ADOPTING REPORT**
- against - : **AND RECOMMENDATION**
:
BOARD OF ELECTIONS IN THE CITY OF :
NEW YORK, et al., :
:
Defendants. :
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ANN M. DONNELLY, United States District Judge:

On April 26, 2024, the plaintiff filed this 42 U.S.C. § 1983 action. (ECF No. 1.) The plaintiff paid the filing fee to commence this action and is therefore responsible for serving the defendants with process. On May 3, 2024, Magistrate Judge Lois Bloom directed the plaintiff to serve the defendants and file proof of proper service with the Court by July 24, 2024, pursuant to Federal Rule of Civil Procedure 4(m). (ECF No. 6.) Judge Bloom cautioned the plaintiff that she would recommend that the Court dismiss the action without prejudice if the plaintiff did not serve the defendants by the deadline or otherwise show good cause why she did not timely serve the defendants. (*Id.* at 1.) To date, the plaintiff has not filed proof of service, nor has she shown good cause why she has not served the defendants. On August 8, 2024, Judge Bloom issued a *sua sponte* report and recommendation in which she recommended that the Court dismiss this action without prejudice pursuant to Rule 4(m). (ECF No. 7.) No party has filed an objection to the report and recommendation and the time for doing so has passed.

A district court reviewing a report and recommendation “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C.

§ 636(b)(1)(C). To accept a report and recommendation to which no timely objection has been made, “a district court need only satisfy itself that there is no clear error on the face of the record.” *VOX Amplification Ltd. v. Meussdorffer*, 50 F. Supp. 3d 355, 369 (E.D.N.Y. 2014).

I have carefully reviewed Judge Bloom’s report and recommendation for clear error and find none. Accordingly, I adopt the report and recommendation in its entirety. The plaintiff’s complaint is dismissed in its entirety without prejudice. The Clerk of Court is respectfully directed to close this case.

SO ORDERED.

s/Ann M. Donnelly

ANN M. DONNELLY
United States District Judge

Dated: Brooklyn, New York
August 27, 2024